

Subject: Re: Jermaine Cooper extension request
Date: Thursday, November 14, 2024 at 3:29:34 PM Eastern Standard Time
From: Gabriel Harvis
To: Byrne, Christopher
CC: Michael Gluck, Baree Fett
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png, image009.png, image010.png

Hi, thanks for this response. You are welcome to move to dismiss once the remand issue is resolved. In the meantime, we need to address the improper removal of this case. I reiterate our request that you consent to remand. Please advise as our next step will be filing a motion. I am available any time if you would like to discuss.

Thank you,
Gabe



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From: Byrne, Christopher <Christopher.Byrne@ag.ny.gov>
Date: Thursday, November 14, 2024 at 3:08 PM
To: Gabriel Harvis <gharvis@eeplaw.com>
Cc: Michael Gluck <mgluck@eeplaw.com>, Baree Fett <bfett@eeplaw.com>
Subject: RE: Jermaine Cooper extension request

Gabe:

Before I can address whether we would consent to remand, I must know why you brought an 8-803 of the New York City Administrative Code against my client as it clearly does not apply to the State Parole Officers. You name all defendants in the ninth claim, the Violation of Plaintiff's 8-803 Rights. You list defendants that are State Parole Officers. That would be unconstitutional as applied. First 8-803 only applies to covered individuals and covered individuals is defined by 8-802 of the NYC Administrative Code and it states: The term "covered individual" means (i) an employee of the police department or (ii) a person who is appointed by the police commissioner as a special patrolman pursuant to subdivision c or e of section [14-106](#)." First DOCCS Parole Officers are not police officers they are State Peace Officers and DOCCS Parole